



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. Walter C. Woodward, Chairman
Board of Insurance Commissioners
Austin, Texas

Dear Sir:

Opinion No. 0-1912

Re: Authority to pay traveling expenses
of the Actuary of the Board of Insurance
Commissioners to attend the meet-
ing on Blanks of the National Associa-
tion of Insurance Commissioners.

We have your letter of February 14, 1940, where-
in you request the opinion of this department as to the
authority to pay traveling expenses of the Actuary of the
State Board of Insurance Commissioners to attend a meeting
of the Committee on Blanks of the National Association of
Insurance Commissioners.

The facts relating to said meeting as it affects
the official business of the State Board of Insurance Com-
missioners is set out in your letter, which we quote as
follows:

"The law of this State requires every in-
surance organization transacting business in
this State to file with the Board of Insurance
Commissioners a sworn financial statement show-
ing the condition and affairs of the Company as
of December 31st preceding. The law of this
State prescribes that the Board of Insurance
Commissioners shall prescribe the form upon
which such financial statement is made. Each
year over nine hundred such statements are fil-
ed with this Department, and from the number
filed it is readily determinable that uniformity
is necessary in order that each statement may
be individually examined and considered. The
National Association of Insurance Commissioners

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has prescribed what is known as the Convention form for the various kinds of companies, and the Board of Insurance Commissioners of this State has adopted this form for reporting purposes.

"The Actuary to the Board of Insurance Commissioners of this State has for several years been a member of the Committee on Blanks of the National Association of Insurance Commissioners. It is this Committee which prescribes the annual statement form and makes such changes as are necessary to meet the requirements of the business and of the change in laws of the various states as they are applicable. This Committee, which is composed of the Actuaries of fifteen of the forty-eight states' departments, meets in New York City the latter part of April each year, and the Board of Insurance Commissioners of this State believes it to be distinctly to the interest of this State and its companies that the Actuary to the Board of Insurance Commissioners attend the meeting of this Committee."

The purpose of the proposed trip as outlined in your letter is doubtless State business within the meaning of sub-paragraph (c) in the general rider to Senate Bill 427 quoted in your letter; however, it is our opinion that the proposed trip comes within the inhibition against the payment of traveling expenses to attend conventions contained in the general rider of said S. B. 427, which reads as follows:

"No money herein appropriated shall ever be spent to pay the traveling expenses of any State employee to any type of conventions within the State or without the State."

In our opinion No. O-1900, addressed to Hon. Joe Kunschik, Commissioner, Bureau of Labor Statistics, we held that the annual meeting of the National Boxing Association

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and the National Wrestling Association was a convention within the meaning of the above quoted provision and therefore, traveling expenses of the Commissioner to attend such meeting could not be paid out of State's monies. We enclose a copy of said opinion No. C-1700 and believe that the reasons therein stated cover your inquiry.

We regret that we must decline to approve payment of traveling expenses to attend the meeting outlined in your letter.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By *Walter R. Kosh*
Walter R. Kosh
Assistant

WRK:AW

ENCLOSURE

APPROVED FEB 29, 1940

Gerald B. Mann

ATTORNEY GENERAL OF TEXAS

